

ARTICLE 25-03

FUNERALS, FUNERAL SERVICES, AND LICENSING OF FUNERAL ESTABLISHMENTS

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CHAPTER 25-03-01 LICENSING OF FUNERAL ESTABLISHMENTS

Section	
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25-03-01-02	Requirements for Funeral Establishment

25-03-01-01. Funeral establishment license.

1. **Application for license.** An application for licensing of a funeral establishment must be made on a form provided by the board and be accompanied by a fee of one hundred dollars.
2. **License renewal.** A funeral establishment license must be issued for one year and may be renewed by the board by submitting to the board a completed renewal application and the renewal fee of one hundred dollars.
3. **Change of owner, supervising personnel, funeral home name, or location.** A funeral home license shall not be transferred from one owner to another. The new owner shall submit an application for a new license to the executive secretary of the board, accompanied by a fee of one hundred dollars. The funeral home license is issued in conjunction with a North Dakota funeral service license. Should the licensee signing the funeral home license application no longer be associated with the funeral home, the licensee shall notify the board. No funeral home license shall be valid unless the funeral home is under the supervision of a funeral practitioner. A change in the licensed personnel supervising the funeral home or funeral home name or location shall require a new funeral home license.

History: Amended effective July 1, 1983; May 1, 1993; May 1, 1998; April 1, 2005.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-05, 43-10-22

25-03-01-02. Requirements for funeral establishment. All funeral establishments, except for branch facilities and funeral chapels, must contain a preparation and embalming room and office space for making arrangements. A preparation and embalming room at a minimum must:

1. Be of sufficient size and dimensions to accommodate a preparation or embalming table, an open fixture with water connects, and an instrument table, cabinet, or shelves;
2. Be properly lit and ventilated with an exhaust fan that provides at least twelve air changes per hour and is so located that air is drawn away from the person preparing the preparations;
3. Have plumbing fixtures, water supply lines, plumbing vents, and waste drains properly vented and connected pursuant to the North Dakota state plumbing code;
4. Have nonporous flooring, so that a sanitary condition is provided. The walls and ceiling of the preparation and embalming room must run from floor to ceiling and be covered with tile, or by plaster or sheetrock painted with washable paint, or other appropriate material so that a sanitary condition is provided. The doors, walls, ceiling, and windows must be constructed to prevent odors from entering into any other part of the building. All windows or other openings to the outside must be screened and all windows must be treated in a manner that prevents viewing into the preparation room from the outside;
5. Have a preparation and embalming table and a functioning aspirator. The preparation and embalming table must have a nonporous top, preferably a rustproof metal or porcelain, with raised edges around the top of the entire table and a drain opening at the lower end. Where embalmings are actually performed in the room, the room must be equipped with a functional method for injection of fluids, an eyewash station, and sufficient supplies and instruments for normal operations;
6. Be private and have no general passageway through it. Each door allowing ingress or egress must carry a sign that indicates that the room is private and access is limited; and
7. Be maintained in a clean and sanitary condition at all times and not be used for any other purposes.

History: Effective May 1, 1998.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-05